

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 15, 2004

D041183 San Diego County Veterinary Medical Association v. County of San Diego
Judgment affirmed. Association to pay County's costs on appeal. CERTIFIED FOR PUBLICATION.
Haller, J.; We Concur: Huffman, Acting P.J., Irion, J.

D042550 People v. Gallegos
The judgment is affirmed. Benke, J.; We Concur: McConnell, P.J., O'Rourke, J.

D043808 In re Bryant on Habeas Corpus
The petition is denied.

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 16, 2004

D042158 **People v. Higgins**
D043237 **Higgins v. Superior Court of San Diego County/People**
(Consolidated case) The petition for rehearing is denied.

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 17, 2004

D042894 In re Gustavo P. a Juvenile

The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Nares, J.

D043902 In re Lua on Habeas Corpus

The petition is denied.

D041251 Davidson Coscan Partners et al. v. United States Fidelity and Guarantee Company

The judgment is affirmed. Aaron, J.; We Concur: McDonald, Acting P.J., Irion, J.

D042633 West Corporation et al. v. Superior Court of San Diego/Sanford

The petition is denied. Costs are awarded to Sanford. CERTIFIED FOR PUBLICATION.
McConnell, P.J.; We Concur: Benke, J., Haller, J.

D043622 Hoffman et al. v. Dekker et al.

The appeal is dismissed on the ground the appealed judgment is not a final judgment in the case.

D043899 In re Chavez on Habeas Corpus

The petition is denied.

**D043884 Consolidated Administration & Security Services Inc. et al. v. Superior Court of
San Diego County/Wolonsky**

The petition is denied.

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 18, 2004

D042218 In re Ruby T., a Juvenile

The juvenile court's order is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Haller, J.

D042219 In re Nguyen

Justices Benke and Haller deny the petition. Justice McDonald would have issued an order to show cause.

D040873 People v. Nguyen

The judgment is affirmed. Benke, Acting P.J.; I Concur: Haller, J.; Dissenting, McDonald, J.

D043277 St. Claire v. Kun

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)). Each party to bear his or her own costs.

D041490 People v. Villarino

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., O'Rourke, J.

D041787 Klein v. Albertson's Inc. et al.

Appellant's Request to Dismiss Appeal filed March 11, 2004 and Respondent's Motion to Dismiss filed January 23, 2004 are granted. The appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D041280 Geraci et al. v. Frantz et al.

The order is affirmed. Respondents' motion for sanctions for a frivolous appeal is denied. Respondents shall have costs on appeal. Irion, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 19, 2004

D042730 In re Tyler J., a Juvenile

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Haller, J.

D043289 Valeocyte Therapies, LLC. v. Hotaling

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D041773 People v. Alec

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D040854 People v. R.J. Reynolds Tobacco Company

It is ordered that the opinion filed herein on February 25, 2004, be modified as follows: On page six, in the second sentence of the second full paragraph, the year "1991" is changed to "1997," as set forth on page 2173 of the record, so the sentence reads: "The court also found that between 1997 and 2001...." There is no change in judgment. The petition for rehearing is denied. The opinion filed February 25, 2004, is ordered certified for publication.

D041343 In re Peter S., a Juvenile

The petition for rehearing is denied.

D042825 People v. Morgan

The judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Irion, J.

D041939 In re the Marriage of Buckley

The order is affirmed. Costs on appeal are awarded to Buckley. McConnell, P.J.; We Concur: Huffman, J., O'Rourke, J.

D040402 M & H Realty Partners IV L.P. v. Zora et al.

The judgment is reversed and remanded with directions to enter judgment in favor of the Zoras, including any award of restitution necessary to restore the Zoras "so far as possible to the positions they occupied before the enforcement of or execution on the judgment" and any award of costs and attorney fees pursuant to paragraph 36 of the lease agreement or any other applicable provisions of law. Aaron, J.; We Concur: Huffman, Acting P.J., Haller, J.

D042647 People v. Malone

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Irion, J.

D042504 People v. Valdez

The judgment is affirmed. Benke, Acting P.J., We Concur: Huffman, J., Irion, J.

D042712 In re Daniel L., a Juvenile

The petition for rehearing is denied.

FOURTH APPELLATE DISTRICT
DIVISION ONE
March 19, 2004 (continued)

**D038856 Pardee Construction Company v. Jeld-Wnd, Inc., Eagles Plastering Co., Inc., Vision
Glazing et al.**

The judgment is modified to delete the award of \$196,877.70 expert witness fees to Pardee against Jeld-Wen, Inc. (Summit). The portion of the judgment favoring Eagles against Vision is reversed. As modified, the remainder of the judgment is affirmed. Vision is awarded costs on appeal against Summit and Eagles severally. The parties shall otherwise bear their own costs on appeal. Irion, J.,
We Concur: Huffman, Acting P.J., Nares, J.